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February 5, 2021

VIA ECF

The Honorable Kiyo A. Matsumoto
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Agudath Israel of America, et al. v. Andrew M. Cuomo*, No. 1:20-cv-4834 (E.D.N.Y.)

Dear Judge Matsumoto:

As directed by this Court at the status conference earlier today, we have enclosed a proposed preliminary injunction order that is nearly identical to the proposed order that the parties previously discussed. Defendant consents to the language in this proposed Order, with the exception of one sentence that it will write to the Court about separately.

As discussed at the status conference this morning, Defendant also requests additional language providing that the preliminary injunction would terminate by its own terms if Defendant issues a revised executive order. Plaintiffs believe that neither of these features were contained in the Court's January 19, 2021 Order granting the Motion for a Preliminary Injunction against the 10 and 25-person limits on houses of worship in Executive Order 202.68, and are not necessary here. If Defendant subsequently issues a new or revised executive order, he is free to raise the issue to the Court and address its impact at the appropriate time.

Respectfully,

A handwritten signature in black ink, appearing to read "A. Schick".

Avi Schick

Cc: Counsel for Defendant (via ECF)